IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 6992 OF 2005
IN
CRIMINAL APPEAL NO. 997 OF 2005

Sudhanwa Sadashiv Talavdekar ...Applicant

Versus

The State of Maharashtra & Anr ...Respondents

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Mr. Kuldeep S. Patil, Advocate for Applicant
Mr. Ezaz Khan, counsel for C.B.I.
Mr. Rajesh More, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.
DATED: 28TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicant, the learned counsel for C.B.I. and the learned A.P.P.for State.

2. The learned advocate for the applicant seeks liberty to file separate application for suspension of conviction as well as liberty to file separate application in respect of confiscation of property. Liberty as prayed for is granted. Thus, this application is only being considered for suspension of sentence.

3. The applicant has been convicted under Section 13(1)(e) r.w. 13(2) of Prevention of Corruption Act, The maximum sentence imposed on the applicant is two years.

3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned advocate for the applicant that the maximum sentence imposed on the applicant is two years and this appeal is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In this view of the matter, I am inclined to grant bail.

5. The sentence of imprisonment imposed on the applicant is suspended and the applicant Sudhanwa Sadashiv Talavdekar to be released on bail in the sum of Rs.15,000/- with one surety in the like amount. The applicant shall attend the office of C.B.I. A.C.B. at Tanna House, Colaba, Mumbai once in two months during the pendency of this appeal.

6. Application is disposed of.

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